

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

STEADFAST FUNDING, LLC,
et al.

Plaintiff

V.

WFG National Land Title Company,

Defendant

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CIVIL ACTION NO. _____

DEFENDANT’S NOTICE OF REMOVAL

WFG National Title Insurance Company¹ (“Defendant”), by and through its undersigned counsel, and hereby removes the above-captioned civil action from the 157th Judicial District Court, Harris County, Texas (the “State Court”), Cause No. 2020-14501 (the “State Court Action”), to the United States District Court for the Southern District of Texas, Houston, Division, pursuant to 28 U.S.C. §§ 1441 and 1446. As grounds for removal, the Defendant states the following:

1. On March 3, 2020, Plaintiffs Steadfast Funding, LLC, (“Steadfast”), Marc Sherrin (“Sherrin”), Initram, Inc. (“Initram”), Bruce L. Robinson (“Robinson”), Patrick Grosse, Trustee of the Grosse Family Trust dated 12/31/2004, (“Grosse”), Morgan Marketing & Management, Inc. (“Morgan Marketing”) and Jyoti B. Ramsey (“Ramsey”) commenced an action against Defendant in the 157th Judicial District Court, Harris, Texas, entitled “*Steadfast Funding, LLC, et al v. WFG National Land Title Company*” pending as Cause No. 2020-14501.

2. There have been no further proceedings in the State Court Action.

¹ Erroneously referred to as WGF National Land Title Company in the caption of the Complaint.

3. Defendant WFG National Title Insurance Company was served with the Complaint through registered agent for service, CT Corporation System, on March 16, 2020 by certified mail postmarked on March 13, 2020. Exhibit “A” at page A-7.

4. Pursuant to 28 U.S.C. § 1446(b), Defendant has timely removed this action because this Notice of Removal is filed within 30 days after Defendant’s receipt of the initial pleading setting forth the claim for relief upon which this action is based.

5. This Court has original jurisdiction of this case under 28 U.S.C. §1332(a) because the matter in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs, and is between citizens of different states. As such, this action may be removed to the Court pursuant to 28 U.S.C. § 1441(a).

6. The amount in controversy requirement is satisfied. The Complaint alleges that “Plaintiffs seek recovery of monetary damages in an amount over \$200,000 but not more than \$1,000,000 at this time, however, damages continue to accrue rapidly.” Compl. ¶ 1.

7. WFG is a company existing under the laws of South Carolina, having its principal place of business now and at the time the action was commenced at Portland, Multnomah County, Oregon. Therefore, WFG National Title Insurance Company is considered a citizen of Oregon.

8. Plaintiff Steadfast Funding is a Texas Limited Liability Company with its managing member having an address at 1104 Downridge, Leander, Texas 78641. Plaintiff Marc Sherrin is a resident of Collin County, Texas and a citizen of the state of Texas. Plaintiff Bruce L. Robinson is a resident of the State of Texas and a citizen of the State of Texas. Plaintiff Patrick Grosse, Trustee is a resident of the State of Texas and a citizen of the State of Texas. Plaintiff Morgan Marketing & Management, Inc. is a company existing under the laws of the

Nevada, having its principal place of business in Nevada, Clark County, Nevada and for diversity purposes is a citizen of the State of Nevada. Plaintiff Jyoti B. Ramsey is a resident of the State of Georgia and is a citizen of the State of Georgia.

9. The Complaint names as a plaintiff, Initram, Inc. d/b/a Promethean Ventures Initram, Inc. d/b/a Promethean Ventures. Initram, Inc. was incorporated under the laws of the State of Texas on May 3, 1999 and had its corporate charter forfeited by the Texas Secretary of State on March 3, 2011. Initram, Inc. no longer exists and has no citizenship for diversity purposes.

10. Accordingly, the complete diversity requirement is satisfied, and federal diversity jurisdiction thus exists in this case under 28 U.S.C. § 1332.

11. In accordance with 28 U.S.C. § 1446(a) and Local Rule LR 81, a certified copy of all process, pleadings, orders served upon Defendant, all counsel of record in this action, and accompanying index are attached as Exhibit “A” and by this reference incorporated herein.

12. In accordance with 28 U.S.C. § 1446(d), a copy of this Notice of Removal is being filed with the Clerk of the 157th Judicial District Court, Harris County, Texas and being served on all adverse parties.

13. In accordance with Local Rule 81, copies of all processes, pleadings, orders signed by the state judge, a copy of the state docket sheet, a complete list of all counsel of record, together with an index of such documents are attached hereto collectively as “Exhibit A” (containing pages numbered Exhibit A1-A107).

Signed and Filed: April 3, 2020.

Respectfully submitted,

/s/ Charles E. Fitch

CHARLES E. FITCH

cfitch@fitchlaw.com
State Bar No. 07072000
Federal ID No. 4990
3000 Wesleyan Street, Suite 230
Houston, TX 77027
(713) 622-1200
(713) 622-6107 (Fax)

ATTORNEY IN CHARGE FOR WFG
NATIONAL TITLE INSURANCE
COMPANY

CERTIFICATE OF SERVICE

I, Charles E. Fitch hereby certify that on the date set forth below I caused the within Notice of Removal to be electronically filed and served using the CM/ECF System, which will transmit a Notice of Electronic Filing to counsel of record.

Dated: April 3, 2020.

/s/ Charles E. Fitch
CHARLES E. FITCH

Christopher B. Ramey
SBN: 00791480
215 S. 4th Street
Wallis Texas 77485
Phone: (713) 974-1333
Fax: (713) 974-5333
Email: Ramey@rameylegal.com
Notice@rameylegal.com

ATTORNEY FOR PLAINTIFFS